

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE
(REV. 2-2005)

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER

80350-1440

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

TBD **10/550783**INTERNATIONAL APPLICATION NO.
PCT/FR2004/000810INTERNATIONAL FILING DATE
31 March 2004PRIORITY DATE CLAIMED
31 March 2003

TITLE OF INVENTION

AN INTRA-GASTRIC BALLOON COATED IN PARYLENE, A METHOD OF FABRICATING SUCH A BALLOON AND OF USING PARYLENE TO COAT AN INTRA-GASTRIC BALLOON

APPLICANT(S) FOR DO/EO/US

PAGANON, Pascal

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
 - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☒ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☒ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 23 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A power of attorney and/or change of address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☒ Express Mail Label No. **EV547997596US**
23. ☒ Other items or information:

Return Postcard; Certificate of Express Mail; Credit Card Authorization Form; PCT Request

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

| | | | | | |
|---|--------------|--|------------|--------------------------|------------|
| U.S. APPLICATION NO (if known, see 37 CFR 1.5) | | INTERNATIONAL APPLICATION NO. | | ATTORNEY'S DOCKET NUMBER | |
| 107550783 | | PCT/FR2004/000810 | | 80350-1440 | |
| The following fees are submitted: | | | | CALCULATIONS | PTO USE |
| 24. <input checked="" type="checkbox"/> Basic national fee | | | | \$300 | \$300.00 |
| 25. <input checked="" type="checkbox"/> Examination fee | | | | | |
| If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4). | | | | \$100 | \$200.00 |
| All other situations. | | | | \$200 | |
| 26. <input checked="" type="checkbox"/> Search fee | | | | | |
| Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority | | | | \$100 | |
| International Search Report prepared and provided to the Office | | | | \$400 | |
| All other situations. | | | | \$500 | \$500.00 |
| TOTAL OF 24, 25 and 26 = | | | | \$ | \$1,000.00 |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. | | | | | |
| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole) | RATE | | |
| - 100 = | 0 | /50 = | 0 | x \$250.00 | \$0.00 |
| Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)). | | | | \$ | \$130.00 |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | | |
| Total claims | - 20 = | 0 | x \$50.00 | \$ | \$0.00 |
| Independent claims | - 3 = | 0 | x \$200.00 | \$ | \$0.00 |
| MULTIPLE DEPENDENT CLAIMS (if applicable) <input type="checkbox"/> + \$360.00 | | | | \$ | \$0.00 |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$ | \$1,130.00 |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. | | | | \$ | \$0.00 |
| SUBTOTAL = | | | | \$ | \$1,130.00 |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)). | | | | \$ | \$0.00 |
| TOTAL NATIONAL FEE = | | | | \$ | \$1,130.00 |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property + | | | | \$ | \$0.00 |
| TOTAL FEES ENCLOSED = | | | | \$ | \$1,130.00 |
| | | | | Amount to be | \$ |
| | | | | Amount to be | \$ |
| <p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 20-0778. A duplicate copy of this sheet is enclosed.</p> <p>d. <input checked="" type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> | | | | | |
| <p>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> <p>KAYDEN, James W. THOMAS, KAYDEN, HORSTEMEYER & RISLEY, LLP 100 Galleria Parkway, N.W., Suite 1750 Atlanta, GA 30339-5948 US</p> | | | | | |
| | | | | SIGNATURE | |
| | | | | James W. Kayden | |
| | | | | NAME | |
| | | | | 31,532 | |
| | | | | REGISTRATION NUMBER | |

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: **PAGANON, Pascal****JC12 Rec'd PCT/PTC 27 SEP 2005**

For: **AN INTRA-GASTRIC BALLOON COATED IN PARYLENE, A METHOD OF
FABRICATING SUCH A BALLOON AND OF USING PARYLENE TO COAT
AN INTRA-GASTRIC BALLOON**

CERTIFICATE OF EXPRESS MAIL

Mail Stop PCT (DO/EO/US)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

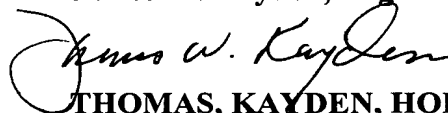
Sir:

Enclosed for filing in the above case are the following documents:

Return Postcard;
Transmittal Letter to the US Designated Office
(DO/EO/US) (3 Pages);
Credit Card Authorization Form;
Copy of Published International Application Consisting of:
Publication Page
18 Pages of Specification
3 Pages of Claims
2 Pages of Drawings
International Search Report;
English Translation of International Application;
Preliminary Amendment; and
PCT Request

Further, the Commissioner is authorized to charge Deposit Account No. 20-0778 for any additional fees required. The Commissioner is requested to credit any excess fee paid to Deposit Account No. 20-0778.

Respectfully submitted,

James W. Kayden, Reg. No. 31,532**THOMAS, KAYDEN, HORSTEMEYER
& RISLEY, L.L.P.**

100 Galleria Parkway, N.W.
Suite 1750
Atlanta, Georgia 30339-5948

Our Docket No: **80350-1440**

I hereby certify that all correspondences listed above are being deposited for delivery to the above addressee, with the United States Postal Service "**EXPRESS MAIL POST OFFICE TO ADDRESSEE**" service under 37 CFR §1.10 on the date indicated below:

The envelope has been given U.S. Postal Service "Express Mail Post Office To Addressee" Package # **EV547997596US**.

Date: 27 September 2005
Lara L. O'Brien